

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Angelo Tomasso et al.

Serial No.: 10/730,749

Group Art Unit: 1743

Filed: 12/08/2003

Examiner:

Attorney Docket No. CDS 0290

Title: ANALYZER HAVING REMOVABLE HOLDERS OR A CENTRIFUGE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 20, 2004

(Date of Deposit)

Todd J. Burns

(Name of applicant, assignee, or Registered Representative)

(Signature)

May 20, 2004

(Date of Signature)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Serial No. 10/730,749 entitled ANALYZER HAVING REMOVABLE HOLDERS OR A CENTRIFUGE attorney Docket No. CDS 0290, to complete, pursuant to Rule 51, this application filed on December 8, 2003 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

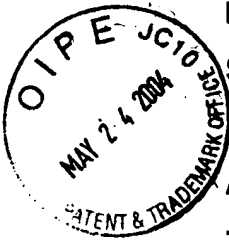
Please charge Johnson & Johnson Deposit Account No. 10-0750/CDS0290/TJB in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). Please also charge Johnson & Johnson Deposit Account No. 10-0750/CDS0290/TJB in the amounts of \$370.00 as a non-small entity additional claim fee(s) including \$172 for 2 independent claims over 3 and \$198 for 11 total claims over 20. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/CDS0290/TJB. This sheet is submitted in triplicate.

Respectfully submitted,



Todd J. Burns  
Reg. No. 38,011  
Attorney for Applicant(s)

Johnson & Johnson  
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(732) 524-1502  
Dated: May 20, 2004



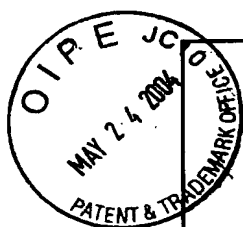
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PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

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**DECLARATION  
AND  
POWER OF ATTORNEY  
FOR UTILITY OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing (unexecuted) **OR** ☒ Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	CDS 0290
First Named Inventor	David Angelo Tomasso
COMPLETE IF KNOWN	
Application Number	10/730,749
Filing Date	12/08/2003
Group Art Unit	1743
Examiner Name	

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ANALYZER HAVING REMOVABLE HOLDERS OR A CENTRIFUGE**  
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **12/08/2003** as United States Application Number or PCT International Application Number  
**10/730,749** and was amended on (MM/DD/YYYY) ☐

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

### DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
		<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

Place Customer  
Number Bar Code  
Label Here

AND

☐ Practitioner(s) named below:  
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Todd J. Burns at telephone number (732) 524-1496.

Direct all correspondence to: ☒ Customer Number **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

State:

ZIP

Country

Telephone:

Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) David Angelo		<b>Family Name</b> or Surname Tomasso	
<b>Inventor's Signature</b> <i>David Angelo Tomasso</i>		<b>Date</b> 11 May '04	
<b>Residence: City</b> Rochester	<b>State</b> NY	<b>Country</b> USA	<b>Citizenship</b> USA
<b>Mailing Address</b> 174 Old Well Road			
<b>City</b> Rochester	<b>State</b> NY	<b>ZIP</b> 14626	<b>Country</b> USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) Raymond Francis		<b>Family Name</b> or Surname Jakubowicz	
<b>Inventor's Signature</b> <i>Raymond Francis Jakubowicz</i>		<b>Date</b> 11 MAY 04	
<b>Residence: City</b> Rush	<b>State</b> NY	<b>Country</b> USA	<b>Citizenship</b> USA
<b>Mailing Address</b> 10 Boulder Creek Drive			
<b>City</b> Rush	<b>State</b> NY	<b>ZIP</b> 14543	<b>Country</b> USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) James Vanselow		<b>Family Name</b> or Surname Barry	
<b>Inventor's Signature</b> <i>James Vanselow Barry</i>		<b>Date</b> 11 May 2004	
<b>Residence: City</b> Rochester	<b>State</b> NY	<b>Country</b> USA	<b>Citizenship</b> USA
<b>Mailing Address</b> 1710 Edgemere Drive			
<b>City</b> Rochester	<b>State</b> NY	<b>ZIP</b> 14610	<b>Country</b> USA